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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,873	03/15/2002	Michael R. Wells	1684-4189US (484-15631-US)	4455
24247	7590	09/02/2005	EXAMINER	
TRASK BRITT P.O. BOX 2550 SALT LAKE CITY, UT 84110			GAY, JENNIFER HAWKINS	
			ART UNIT	PAPER NUMBER
			3672	

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/099,873

Applicant(s)

WELLS ET AL.

Examiner

Jennifer H. Gay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10, 12-18, 22, 24, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-10, 12-18, 22, 24, 28 and 29 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5 and 6 is/are rejected.
- 7) ☒ Claim(s) 4 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Harrington (US 2,147,896).

Regarding claim 1: Harrington discloses a core bit that includes the following features:

- A bit body **1** having a face surface with a throat opening that extends to a longitudinal cavity (Figure 2).
- At least one cutter **2** located on the face surface.
- At least one bore **5, 6** extending through the bit body between an inlet and an outlet where the outlet is located on the face surface, the inlet is formed within the bit body, is conically shaped, and opens into the longitudinal cavity.

Regarding claim 2: Harrington discloses a core bit that includes the following features:

- A bit body **1** having a face surface with a throat opening that extends to a longitudinal cavity (Figure 2).
- At least one cutter **2** located on the face surface.
- At least one bore **5, 6** extending through the bit body between an inlet and an outlet where the outlet is located on the face surface, the inlet is formed within the bit body and has a first end having a cross-sectional area joined to the at least one bore and extending to a second end having a cross-section area greater than that of the first end and opens to the longitudinal cavity.

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Regarding claims 3, 6: The inlet is generally conical shape.

Regarding claim 5: Harrington discloses a core barrel assembly that includes an outer barrel 7 attached to a drill string at one end, an inner tube 9 located within the outer barrel, a core shoe 13 disposed at one end of the inner tube, and a core bit attached to an opposing end of the outer barrel proximate the core shoe. The core bit includes the following features:

- A bit body 1 having a face surface with a throat opening that extends to a longitudinal cavity (Figure 2) that is defined by at least one longitudinally extending wall (the bit body itself forms the longitudinally extending wall).
- At least one cutter 2 located on the face surface.
- At least one bore 5, 6 extending through the bit body and having an inlet and an outlet where the outlet is formed in the face surface and the inlet has a first end having a cross-sectional area joined to the at least one bore and extending to a second end having a cross-section area greater than that of the first end and opens to the longitudinal cavity through at least a portion of the longitudinally extending wall.

Allowable Subject Matter

3. Claims 8, 10, 12-18, 22, 24, 28, and 29 are allowed.
4. Claims 4 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. The examiner acknowledges that claims 19-21 have been canceled.
6. Applicant's arguments and amendments filed 25 July 2005, with respect to the 35 USC 102(b) rejection of claims 8, 10, 12, 17, and 22 over Harrington, claims 1-4 and 22 over Garfield,

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claims 1-3, 5, 6, 8, 10, 17, and 22 over Burgess, and claim 22 over Thrift have been fully considered and are persuasive. The above rejections have been withdrawn.

7. Applicant's arguments filed 25 July 2005 have been fully considered but they are not persuasive.

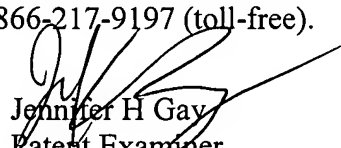
Applicant has argued with respect to claims 1, 2, and 5 (claim 5 should have been included in the Harrington rejection in the previous Office Action and has been included above) that Harrington does not teach a port inlet that opens into a longitudinal cavity through at least a portion of a longitudinally extending wall. The examiner disagrees and notes that the bit body defines a longitudinally extending wall and Figure 2 shows that the inlet port extends therethrough.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer H. Gay whose telephone number is (571) 272-7029. The examiner can normally be reached on Monday-Thursday, 6:30-4:00 and Friday, 6:30-1:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on (571) 272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jennifer H. Gay
Patent Examiner
Art Unit 3672

JHG
August 26, 2005